

REMARKS

Applicant respectfully requests reconsideration. Claims 1-109 were pending in this application with claims 59-75 and 107-109 being withdrawn from consideration. Withdrawn claims 59-75 and 107-109 are being cancelled. Accordingly, claims 1-58 and 77-106 are pending for examination.

Rejection of Claims 1-19, 23-26 and 40

Claims 1-19, 23-26 and 40 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,904, 965 (Noel).

It appears that the water absorption testing described in Noel was conducted without any vacuum being applied. In contrast, in the context of the present application, "complete submersion water absorption," is measured by completely immersing an entire sample in water under high vacuum, for example according to ASTM D 1056 Sections 42 through 48 (See page 6, last paragraph). The absence of an applied vacuum in the testing described in Noel would be expected to lead to significantly lower water absorption values as compared to values measured on the same sample using a "complete submersion" test with an applied vacuum as described in the present application. Therefore, the water absorption values disclosed in Noel do not anticipate, or even make obvious, the values claimed in the present application which were obtained using a complete submersion water absorption test following procedures noted above and in the application. Thus, claims 1-19, 23-26 and 40 are not obvious in view of Noel.

Accordingly, Applicant respectfully requests withdrawal of the claim rejections on this ground.

Rejection of Claims 20-22, 37-39, 41-58 and 76-106

Claims 20-22, 37-39, 41-58 and 76-106 were rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 5,070,111 (Dumbauld).

It appears that the water absorption testing described in Dumbauld was conducted without any vacuum being applied. In contrast, in the context of the present application, “complete submersion water absorption,” is measured by completely immersing an entire sample in water under high vacuum, for example according to ASTM D 1056 Sections 42 through 48 (See page 6, last paragraph). The absence of an applied vacuum in the testing described in Dumbauld would be expected to lead to significantly lower water absorption values as compared to values measured on the same sample using a “complete submersion” test as described in the present application. Therefore, the water absorption values disclosed in Dumbauld do not anticipate, or even make obvious, the values claimed in the present application which were obtained using a complete submersion water absorption test with an applied vacuum following procedures noted above and in the application. Thus, the claims that recite a complete submersion value that stand rejected on this ground (i.e., 20-22, 37-39, 41-57) are not obvious in view of Dumbauld.

As noted in the Office Action, Dumbauld does not disclose any values from U-test water absorption. Applicant respectfully disagrees that the claimed U-test values would have been inherent in the material described in Dumbauld. Applicant sees no reason why the claimed U-test water absorption would have been met in Dumbauld, particularly since, as noted above, the water absorption testing in Dumbauld appears to have been done without any vacuum applied. Thus, the claims that recite a U-test water absorption value that stand rejected on this ground (i.e., 58 and 77-106) are not obvious in view of Dumbauld.

Accordingly, Applicant respectfully requests withdrawal of the claim rejections on this ground.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

Timothy J. Oyer

Registration No.: 36,628

Robert H. Walat

Registration No.: 46,324

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

(617) 646-8000